

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, AUGUST 28, 2014

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, August 28, 2014, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

President:	Russell
Councilpersons:	Culver, Olshefski, Kling, Showers
Councilpersons Absent:	Russell
Mayor:	Battle
City Attorney:	Joffrion
City Clerk-Treasurer:	Hagood

President Russell called the meeting to order.

Deacon Greg Thompson, St. John the Baptist Catholic Church, led the invocation; Boy Scouts led the pledge of allegiance.

The minutes of the meeting of the Council on August 14, 2014, were approved as submitted.

President Russell stated that the next item on the agenda was Resolutions and Special Recognitions.

President Russell recognized Mayor Battle.

Mayor Battle asked Ms. Regina Parker to come forward, along with the ladies in teal. He stated that this was Ovarian Cancer Awareness Month and that at this time they were recognizing this group. He stated that this group, the Lilies

of the Valley, provided support and awareness about this disease to the women of Huntsville and the Tennessee Valley. He stated that he wanted to say to them that the City joined them in their fight and their awareness of this disease, that they were joining them in Ovarian Cancer Awareness Month. He thanked the group for their attendance at the meeting.

Ms. Parker stated that she was the current director of Lilies of the Valley, the support and awareness group for ovarian cancer in the area. She stated that they were excited at this time to have some new things going on, noting that they had joined with some groups in Birmingham, Mobile, and Montgomery for a statewide initiative called "A State of Teal." She stated that the website was astateofteal.org and that there was also a Facebook page.

Ms. Parker stated that they were getting buildings in the state of Alabama to light teal for Ovarian Cancer Awareness Month. She stated that they hoped that one day all women would connect teal with ovarian cancer just as much as they did pink with breast cancer. She stated that ovarian cancer did not affect as many women as breast cancer, that the numbers were not as big, but that the disease was a lot more insidious, harder to catch, and deadlier because of that. She stated that they were proud that this year Huntsville Hospital, the Women's and Children's Center, Calhoun Community College, and the Huntsville Botanical Garden would be lit, and that Downtown Huntsville would light the Al.com Building one week during the

month. She stated that the following year they were looking forward to being able to get the entire city lit.

Ms. Parker thanked the Administration and the Council for their support.

Mayor Battle asked Ms. Joy McKee to come forward. He stated that Ms. McKee was head of the Landscape Department and of Green Team, the cemetery, as well as other things to be named later. He stated that this was Ms. McKee's 15-year anniversary with the City and that he had a pin to present to her. He presented the pin to Ms. McKee, stating that in this 15 years, she had most likely done 30 or 40 years' worth of work. He thanked her for this and congratulated her.

President Russell stated that item 14.b on the agenda, Ordinance No. 14-625, would require unanimous consent.

President Russell stated that the next item on the agenda was Public Hearings to be Held.

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-485, zoning newly annexed property lying on the south side of Knotty Walls Road and west of Old Big Cove Road as Residence 1-B District, which hearing was set at the July 10, 2014, Regular Council Meeting.

President Russell recognized Ms. Ashley Nichols of the Planning Department.

Ms. Nichols stated that the subject property was approximately 1.2 acres and was located on the south side of

Knotty Walls Road and west of Old Big Cove Road. She stated that this was newly annexed land, with an existing single-family dwelling, and that the proposed zoning was Residence 1-B, which she noted was consistent with the zoning of the surrounding property.

President Russell asked if there was anyone in the audience who would like to comment on this particular issue.

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 14-485, zoning newly annexed property lying on the south side of Knotty Walls Road and west of Old Big Cove Road as Residence 1-B District, which ordinance was introduced at the July 10, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-485)

Said motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-487, zoning newly annexed property lying on the east side of Old Big Cove Road and south of Miller Lane as Residence 1-A District, which hearing was set at the July 10, 2014, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that the subject property was approximately 3.04 acres and that it was located on the east side of Old Big Cove Road and south of Miller Lane. She continued that this was newly annexed land, with one existing single-family, detached dwelling. She stated that the proposed zoning was Residence 1-A, which she noted was consistent with the zoning south of this particular area.

President Russell asked if there was anyone in the audience who wished to address the Council on this particular issued.

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 14-487, zoning newly annexed property lying on the east side of Old Big Cove Road and south of Miller Lane as Residence 1-A District, which ordinance was introduced at the July 10, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-487)

Said motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that it was the time and place in the meeting for a public hearing on Ordinance No. 14-489, zoning newly annexed property lying on the west side of Old Big Cove Road and north of Byrd Drive as Residence 1-B District,

which hearing was set at the July 10, 2014, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that the property was approximately 1.91 acres, located on the west side of Old Big Cove Road and north of Byrd Drive. She stated that this was newly annexed property, with one existing single-family, detached dwelling. She stated that the proposed zoning was Residence 1-B District, which she noted was consistent with the zoning of the property south of this area.

President Russell asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Russell stated that the public hearing was closed.

President Russell moved for approval of Ordinance No. 14-489, zoning newly annexed property lying on the west side of Old Big Cove Road and north of Byrd Drive as Residence 1-B District, which ordinance was introduced at the July 10, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-489)

Said motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that it was the time and place in

the meeting for a public hearing on Ordinance No. 14-491, amending the approved Specific Function and Use Table for the permitted uses within the Lendon Planned Development, which hearing was set at the July 10, 2014, Regular Council Meeting.

President Russell recognized Ms. Nichols.

Ms. Nichols stated that this proposed amendment contained major changes within Transect 5 of the Lendon Planned Development project, indicating the area on a displayed map. She stated that the areas highlighted in red represented the Transect 5 area, which she noted was mainly more intensive uses, including commercial. She stated that there were additional uses that the developer wished to add in those particular Transects. She stated that there was also language that was updated, regarding restaurants. She stated that restaurants that were within a 500-foot buffer of a residential district would not be permitted to have any type of live entertainment after 11 p.m., and that, also, entertainment could not be audible outside of the establishment, as well as no live entertainment was permitted on any type of private sidewalk or cafe.

President Russell asked if there was anyone in the audience who would like to address the Council on this particular issue.

There was no response.

President Russell stated that the public hearing was closed.

Councilman Kling moved for approval of Ordinance No. 14-491, amending the approved Specific Function and Use Table for the permitted uses within the Lendon Planned Development, which ordinance was introduced at the July 10, 2014, Regular Council Meeting, as follows:

(ORDINANCE NO. 14-491)

Said motion was duly seconded by Councilman Showers.

President Russell inquired of Ms. Nichols as to what uses were being added.

Ms. Nichols stated that hotels were being added as a permitted use, as well as acute long-term care facilities, and also restaurants that permitted entertainment, both within a 500-foot buffer of a residential district and not within a 500-foot buffer. She continued that there was language added regarding alcoholic beverages. She stated that no alcoholic beverages were permitted to be sold, offered, or dispensed between the hours of 12 a.m. and 10 a.m. on any day, regardless of whether it was a week-end or a weekday.

Ms. Nichols stated that this language had been approved by John Blue, as well as Hal Fulmer with Brookdale Place.

President Russell asked Ms. Nichols if this matter had gone through the Planning Commission.

Ms. Nichols replied in the affirmative.

President Russell asked if anyone had spoken concerning the matter at the Planning Commission.

Ms. Nichols replied in the negative.

Councilman Kling stated that he had had some concerns expressed by persons concerning this matter and asked if this was pertaining only to the Lendon development and would not open up any new zoning classification, et cetera.

Ms. Nichols replied that it would not, noting that this was only within the Lendon Planned Development, that all their uses were being spelled out.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the issuance of a taxicab license to Michelle Jordan, d/b/a A Metro Taxi Cab Company, for the operation of 12 taxicabs in the city of Huntsville, which hearing was set at the August 14, 2014, Regular Council Meeting.

President Russell recognized Mr. Tommy Brown, Director of Parking and Public Transit.

Mr. Brown stated that this was a new company, A Metro Taxi Cab Company, noting that they would be operating 12 vehicles. He stated that the application was in order for the Council's consideration after the hearing.

President Russell asked if there was anyone in the audience who wished to address the Council on this particular matter.

Mayor Battle stated that they should point out that the Michelle Jordan in the matter before the Council was a

different Michelle Jordan than the one who was Director of Planning for the City of Huntsville.

President Russell asked if anyone in the audience wished to comment on this matter.

There was no response.

President Russell stated that the public hearing was closed.

Councilman Kling read and introduced a resolution authorizing the issuance of a taxicab license to Michelle Jordan, d/b/a A Metro Taxicab Company, for the operation of 12 taxicabs in the City of Huntsville, as follows:

(RESOLUTION NO. 14-621)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell stated that the next item on the agenda was Communications from the Public.

President Russell stated that persons who wished to address the Council should come forward after their names were called, go to the microphone, and state their name and address. He continued that such persons would have three minutes to address the Council.

Mr. Rusty Loiselle appeared before the Council, stating that he was with Help the Homeless Veterans and that he lived in South Huntsville. He stated that according to the VA, homelessness among the veterans was supposed to be eliminated

by 2015, noting that he was not going to hold his breath. He stated that every day he saw veterans who had been homeless for years and that it did not appear that anything was going to happen concerning this any time soon. He stated that these veterans had done everything they were supposed to do, that they had filled out every ridiculous paper, made every appointment, fulfilled every requirement, but had still been living in tents in the woods for years.

Mr. Loiselle stated that a VA insider had said that they had just at this time started working on applications from 2011. He stated that millions of dollars per year were pumped into organizations to help the homeless, but the homeless got very little help because of the 80 and 90 percent overhead cost and misuse of funds. He continued that they might get 10 cents on the dollar in help if they were lucky.

Mr. Loiselle stated that society also had a Catch 22 which made it nearly impossible for the homeless person to get a job. He stated that one could not get a job if one did not have an address, that one could not get a bank account if one did not have an address, one could not get a P.O. Box if one did not have an address, and one could not get benefits if one did not have an address.

Mr. Loiselle stated that in past Council meetings, certain speakers had suggested that when City jobs were being posted, special consideration should be given to certain people because of their color. He continued that he was not going to go down

that racist road, that he was going to ask that certain consideration be given to veterans, no matter what their color, ethnic origin, or religion. He continued that one way to prevent homelessness of veterans was to hire veterans, noting that many of them were highly trained, and that for one reason or another, they had lost their homes. He stated that when a person lost their home, they did not automatically become a bum, a drunk, a drug addict, that they became homeless. He stated that knowing how bad the economy was, it was not hard to see how someone could have lost their home. He stated that at this time home building was very slow, business had laid off millions of persons, and had cut hours for a lot of people, of all walks of life. He stated that many persons had made it through this but had still felt the sting of the declining economy.

Mr. Loiselle stated that some of the veterans had come home to no jobs, and that no jobs meant no money, and that no money meant one could not pay one's bills. He continued that when one could not pay one's bills, one lost their home, their car. He continued that some had even lost their families.

Mr. Loiselle stated that it basically boiled down to jobs, noting that he knew veterans who would take a street sweeping job at this time, that he knew veterans who were IT specialists who were out of work, and that he knew of other veterans who were almost blind.

President Russell stated that Mr. Loiselle's time was up

and asked if he needed additional time.

Mr. Loiselle replied in the affirmative.

President Russell stated that Mr. Loiselle could continue for one additional minute.

Mr. Loiselle stated that he wanted to ask the Council this question: When City jobs are posted, are they posted where homeless veterans can see them being offered, and would they be considered knowing that they are homeless? He asked if the City required an address as a prerequisite for getting a job.

President Russell asked if Mr. Byron Thomas, Director of Human Resources, was present.

Mr. Thomas appeared at the microphone.

President Russell asked Mr. Thomas if he had heard the comments made by Mr. Loiselle.

Mr. Thomas stated that he had heard some of these comments.

President Russell stated that the questions that had been asked were where the City posted jobs, how the City advertised jobs, and if a person would need an address in order to be able to get a job with the City. He asked Mr. Thomas if he could answer these questions.

Mr. Thomas stated that one way they posted jobs throughout the City was on their website. He continued that as well as posting them on the website, they put them on line through governmentjobs.com. He stated that they also sent blue sheets, or announcements, out to various agencies throughout the

community. He stated that Still Serving Veterans was one of the agencies they were sent to, as well as other agencies. He continued that they also sent them to individuals, noting that anyone who would like to be made aware of their announcements, they would send them this.

Mr. Thomas stated that, as far as an address, an application had to be completed, so that they would need address information and a telephone number so that the individual could be contacted if selected for an interview.

President Russell asked Mr. Thomas to meet with Mr. Loiselle and see if there might be some way the City could help with this issue.

Councilman Kling stated to Mr. Thomas that he believed the Federal Government had guidelines that they used but asked what would be involved in the City of Huntsville having a policy where hiring preference would be given to veterans. He continued that he believed there was some sort of a point process that the Federal Government went through, that he believed persons got so many points, as a head start for veteran applicants. He stated that there was a process they used for bids, that he believed it was, like, a three percent preference for local vendors over out-of-town vendors. He asked if they could do something possibly along the line of what the speaker had been talking about, where there could be a preference given for hiring veterans.

Mr. Thomas stated that the Federal Government did not use

this process for all agencies, that there were certain requirements that they had to do this. He stated that the City of Huntsville was very good in making sure that they considered all applicants for a position, and that they did hire veterans, that they had a good many throughout all the different departments of the City. He stated that there was not a requirement by the State concerning this, noting that Mr. Joffrion could most likely address this better than he could. He stated that the City was following all State guidelines and Federal guidelines. He continued that as far as point preferences, this was restricted within the Federal Government to certain agencies and there were certain requirements.

Councilman Kling stated that they could have a work session concerning this matter and get into further discussion concerning it. He stated that since they had such a close relationship with the military, and this was such an important part of the community, he just wondered if this might be a step they could take, in trying to determine if there might be a little extra preference they could give on this. He stated that this was a policy thing and that perhaps they should have some discussion about it. He stated that he would certainly be very open and interested in looking into this.

Mr. Joffrion stated that probably the best thing they could do would be to make sure that whatever job opportunities there were at the City would be widely published and that they

make every effort to make them available to veterans' organizations, and the homeless, and others. He stated that they would not be able to establish preferences for any classification of individuals, but they could maximize their efforts to make the information available to such organizations and individuals.

Councilman Kling asked if anything could be done about the homeless address situation, if perhaps a person could be homeless but could fill out an application in care of a certain agency, such as Veterans Helping Veterans, or something such as this, where the homeless person could be reached. He stated that he did not have the answers but was just trying to determine if something such as this could be worked out. He stated that the speaker had raised some issues, noting that they had heard these before. He continued that they had talked about the relationship of the community with the military, and he was just trying to determine if there was a way this might be worked out, to help those at the very bottom who needed this help. He continued that this would be a good thing.

Mr. Thomas stated that he would be happy to meet with the individual who had brought up this concern and see how they might be able to work with him and go from there.

Councilman Olshefski stated that it was not a requirement to have a residence in order to get a job, that they were asking for a residence so that the individual could be contacted. He stated that he was glad Mr. Thomas was going to

talk to Mr. Loiselle, noting that there was no reason they could not have Still Serving Veterans, or First Stop, or whatever the place might be, to assist with this. He asked Mr. Joffrion if he was correct that it was not a requirement that one had to have an address in order to get a job. He continued that these persons were just looking to find out about a job, find out about the paperwork, and if they qualified, they qualified, and then they might be able to get out of their situation. He stated that he did not want to get caught up in the address thing, noting that the address was just so a person could be contacted. He continued that he believed this was certainly workable.

Mr. Brian Davis appeared before the Council, stating that he was the Executive Director of the Huntsville-Madison County Mental Health Board, and that he was present in order to thank the Council for their continued support. He stated that they were a public non-profit that served children, adolescents, and adults with mental health and substance abuse needs, noting that they would serve approximately 9,000 people in the current year. He continued that they had had the benefit of an appropriation from the City of Huntsville and that the City Council appointed half of their Board of Directors, so that they were very much their community mental health center.

Mr. Davis stated that he was present to share with the Council that their Board of Directors, in looking at their strategy for growth and how they could better serve the

community, had decided to change their "doing business as" name. He stated that most persons knew them as the "Mental Health Center" and stated that they would still be the Mental Health Center and continue to serve the persons in the community who were most at risk, often at no charge or on a sliding fee scale.

Mr. Davis stated that the Council members were aware that two-thirds of persons who needed mental health treatment did not get the help they needed. He continued that the biggest reason for this, still, in 2014, was stigma. He stated that there was the stigma of coming to the Mental Health Center, and that it kept a lot of people whom they believed they could help from coming to them. He continued that these persons might come if they could help them get past this.

Mr. Davis stated that they also wanted a "doing business as" name that was more inclusive and that would let people know that, regardless of their station in life, that was a place that could help them.

Mr. Davis stated that effective October 1, they would still be the Huntsville-Madison County Mental Health Board, with their legal name, but their "doing business as" name would be changed to Wellstone Behavioral Health. He stated that the term "Behavioral Health" was simply a more modern term that was used to signify any diagnosable disorders that affected the way persons behaved, whether it would be mental illness, substance use disorders, or many other things they treated. He stated

that the term "Wellstone" was a loose reference to the community on the top of Monte Sano years prior that persons traveled to from all over the country for rest, relaxation, and renewal. He continued that Monte Sano had become known as "The Mountain of Health." He continued that they liked the idea of being about wellness and health, and not about illness. He stated that this was where the "Well" came from and that "Stone" was a reference to the mountain, that strength.

Mr. Davis stated that he believed they could reach more people this way. He stated that they would continue to support the government work, and those who needed assistance financially, but that also hopefully they would be able to reach a broader cut of the community.

Mr. Davis stated that he would be open for any questions or comments, noting that there would be press releases in the upcoming weeks concerning this matter, so that persons would hear more about it, but that he had wanted them to hear it from him first, in this forum.

Councilman Culver stated to Mr. Davis that he had had a strong nexus with this organization for 10 years prior to being elected to the Council and that he could not begin to tell him how much the work they were doing in the community was appreciated. He stated that if not for this organization, the Police Department's job would be a nightmare, and the City would most likely not be as safe as it was at this time. He stated that there were always areas of improvement, but that

the Mental Health Center was doing an excellent job and that he just wanted to say that to him publicly. He stated that he was aware this organization would be coming before the Council soon for well-needed funding, and that they certainly had his support on this.

Mr. Davis stated that he certainly appreciated that. He stated that he hoped the Council members saw this change in their brand, or their "doing business as" name, as an opportunity to diversify who they were serving, and hopefully their funding stream, so that they could use the taxpayer dollars well and stretch them as far as they could.

Mr. Davis thanked the Council for their continued support.

Mr. Lyle Voyles, 7704 Teal Drive, appeared before the Council, stating that at the work session of the Council on June 19, many members of the Huntsville Council of Neighborhood Associations addressed the need for a rental property inspection ordinance that would require owners of rental property to acquire an annual business license and register all rental properties under their ownership with the City, and require an inspection of the exterior and interior prior to occupancy by a new tenant, for compliance with building codes and to obtain a certificate of occupancy.

Mr. Voyles stated that it was encouraging to know that City leadership had favorably responded to these express concerns and that the City departments were actively studying ideas, recommendations, and material that might lead to a

rental property inspection ordinance for the city.

Mr. Voyles stated that the material that he had passed out and was in front of the Council members would address some of the Council members' express questions and concerns they had raised at the meeting on June 19.

Mr. Voyles stated that the index shown on page 1 was a realistic financial breakdown of costs and expenditures, in which the City would clear more than \$400,000 in the first year of the program.

Mr. Voyles stated that an inspection of ordinances of cities in such locations as Dallas, Texas, and Savannah, Georgia, were included in this package. He continued that it was the cities of Anniston and Gadsden that should have direct attention, noting that they already had such ordinances established. He stated that certificates of occupancy, inspection fees, enforcement and penalties, and business licensing was contained within these ordinances. He continued that this could be just as effective in Huntsville as it was in Anniston and Gadsden.

Mr. Voyles stated that on page 19 of the handout were questions and answers related to the effectiveness of just one of the rental property inspection programs, noting that the comments were things such as the property values had actually increased in the immediate area of the rental properties, that landlords were more picky in choosing their tenants, and neighborhoods were more peaceful. He continued that the

program had had a favorable impact on both the police and fire departments, that the new ordinance had certainly turned things around.

Mr. Voyles asked, with comments and results such as this, why they would not want the same for Huntsville. He continued that of additional interest was that the Mayor of Gadsden was a realtor, appraiser, and broker. He asked if the program was working for this city, how those opposed to the ordinance could justify it not working for Huntsville.

Mr. Voyles asked the Council members to take the time to also read the Minimum Urban Rehabilitation Standards on page 29. He stated that the Mandatory Crime Reduction Program did not really apply to the complexes on page 35. He stated that both of these had been effective in reducing crime.

Mr. Voyles urged the Council to take the time to read the package he had presented to them, noting that there would be naysayers contacting them concerning it. He stated that a rental property inspection ordinance would be a significant step forward in maintaining and reclaiming the older Huntsville communities.

Ms. Jackie Reed appeared before the Council, expressing appreciation to Mayor Battle for taking the time to wish her mother-in-law a Happy Birthday on her 100th birthday the prior Saturday.

Ms. Reed stated that she would like to thank Joy McKee for her 15 years of outstanding service, noting that she believed

she was doing a great job. She stated that Ms. McKee had advised her that the forest she had been complaining about over by the railroad tracks was all under control.

Ms. Reed stated that she would like to thank Channel 48 and Channel 19 for a great press conference on the prior Monday evening. She stated that if persons had not seen this, they should see it, noting that it was a true story and just awesome.

Ms. Reed stated that the election was over and she was still at the microphone, that she would not be going away. She stated that she had never been through such an election, noting that she had lost 14 times and was a good loser, but that she would be back. She continued that this was the craziest election she had ever been in, that signs were stolen, she had been booted out of churches. She stated that, also, on a talk radio show between Councilman Kling and herself, she had been asked the question, "Where did you sleep last night?" She stated that that was getting pretty bad. She stated that, also, there was a video lying there that said that at 5 o'clock in the morning somebody was at her house, her other house. She stated that she believed Councilman Kling had been referring to the redistricting plan, noting that because of this she had moved to 1000A Bob Wallace and had been living there, and that someone was stalking her, running up and down the roads trying to keep up with her. She continued that there was a video and a camera there, noting that at 5 o'clock in the morning,

Jackie Reed was at this house. She stated that she called that stalking. She stated that she had been through a lot in this election, noting that God would not be happy with people like that, and she was not happy with it. She stated that Councilman Kling was not free of Jackie Reed, that he still had static. She stated that she would be back in a few years, and that God would make her decision as to when she was too old and would go away.

Ms. Reed asked that the Council hold items 15.bb, 15.cc, and 15.dd on the agenda.

Ms. Reed stated that she wanted to thank Mayor Battle, President Russell, and Councilman Olshefski for not throwing her out of her district, that she certainly appreciated that.

Councilman Kling stated that he would like to respond to some of the issues that had been raised. He stated that on his way to the Dale Jackson show, he had just happened to mosey down Jack Coleman Drive with a camera, and that there had been a car there, actually, two cars there. He continued that there were not many cars that had "Reed for Mayor" and "Battle for Mayor" bumper stickers on them in the middle of a City Council race. He continued that the house had no lights turned on.

Councilman Kling stated that the election was over, and that he just wanted to talk in terms of City issues. He stated that since the issue about redistricting had been raised, he would refer the public, or anyone who wished to, to look at the City Council hearing minutes. He continued that one of the

hearings was on July 14, 2011. He stated that in these minutes, referring to comments of Ms. Reed, she had asked that they gerrymander her, or whatever they had to do to get her into Kling's district. He continued that in the redistricting hearing minutes of August 4, 2011, the staff had been asked to evaluate the district plans they had, the City of Huntsville Plan and the plan that Ms. Reed had worked with the staff on in having drawn up. He stated that Connie Graham, who did not report to him or the City Council, that she reported as an independent employee to the Mayor, had pointed out that in Ms. Reed's plan, her neighborhood would be divided. He continued that Ms. Graham had stated that their original goal had been not to do this, and that was the reason they had used Jordan Lane as their boundary line. He stated that anyone could look at the minutes, that he was just noting these items to perhaps clear up some of the discussion about the issue.

President Russell stated that the next item on the agenda was Board Appointments to be Voted On.

Councilman Showers read and introduced a resolution to appoint Nathaniel Hudson to the Community Development Citizens Advisory Council, for a term to expire April 14, 2015, as follows:

(RESOLUTION NO. 14-622)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Culver and was unanimously adopted.

President Russell stated that the next item on the agenda was Board Appointment Nominations.

Councilman Kling nominated Rose Allen for reappointment to the Alabama Constitution Village/Historic Huntsville Depot Board, for a term to expire June 26, 2017.

Councilman Kling nominated Kim Ogle for appointment to the Alabama Constitution Village/Historic Huntsville Depot Board, for a term to expire June 26, 2016.

Councilman Kling nominated Rosa Toussiant for appointment to the Community Development Citizens Advisory Council, for a term to expire April 12, 2017.

President Russell nominated Wayne Bonner for reappointment to the Von Braun Center Board of Control, for a term to expire August 27, 2018.

Councilman Showers nominated Edna Anderson for reappointment to the Community Development Citizens Advisory Council, for a term to expire April 28, 2017.

Councilman Showers nominated Robert Flowers for appointment to the Housing Board of Adjustments and Appeals, for a term to expire August 22, 2018.

Councilman Kling nominated Mark Harbarger for reappointment to the Downtown Redevelopment Authority, for a term to expire July 26, 2020.

President Russell asked if there were any other nominations.

There was no response.

President Russell stated that the next item on the agenda was Approval of Expenditures.

Councilman Kling read and introduced a resolution authorizing expenditures for payment, as follows:

(RESOLUTION NO. 14-623)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Culver and was unanimously adopted.

President Russell asked Councilman Kling if there was a Finance Committee Report.

Councilman Kling replied in the negative.

President Russell stated that the next item on the agenda was Communications from the Mayor.

President Russell recognized Mayor Battle.

Mayor Battle congratulated the persons who had been elected to office on the prior Tuesday and encouraged the persons who were involved in a run-off. He thanked each person who had run for office and put themselves out for leadership, noting that it was not an easy thing to do.

Mayor Battle stated that the prior Saturday they had had the Mayor's Bike Ride, noting that three department heads had participated in this event but there had been some 31 who had not, noting that they were all on his list. He continued that, also, there were five Council members who had not been there and were also on his list.

Mayor Battle stated that at the Mayor's Bike Ride, he had

taken the ALS Challenge, where buckets of cold water and ice had been poured over his head. He challenged all department heads and Councilmen who had not been at the bike ride to an ALS challenge. He continued that, alternatively, they could send money to ALS.

Mayor Battle noted that football season was commencing and urged persons to support the local teams.

Mayor Battle stated that earlier in the day, they had signed paperwork for the bond issue that the Council had voted on the prior week and that would again be voted on later in the meeting. He continued that he understood from Mr. Taylor that there was an approximate \$7 million in savings as a result of this refinancing.

Mayor Battle wished everyone a Happy Labor Day.

President Russell stated that the next item on the agenda was Communications from Council Members.

Councilman Culver stated that he would also like to congratulate everyone who had participated in the electoral process. He stated that congratulations were in order to President Russell and Councilman Kling. He continued that he wished everyone who was still running the best. He stated that Ms. Reed had also conducted a very good campaign.

Councilman Culver stated that he would be visiting with some of the family reunions over the weekend and attending some of the Little League football games.

Councilman Culver wished everyone a very safe and happy

Labor Day weekend.

Councilman Kling stated that he would like to acknowledge the passing of Danny Burttram, a past Commander of American Legion Post 237. He stated that he had visited with Mr. Burttram recently and that it had been a great visit, and that he had been very saddened to learn that he had had a massive heart attack and recently passed away. He stated that he would certainly be missed, that he was a great friend and a great person in the community.

Councilman Kling stated that, as persons had mentioned, the election was over. He continued that it was a long trek for him, and that he was still somewhat drained from it. He stated that a lot of great people had helped him during the campaign and recognized some of these persons, noting that there were persons from many walks of life and that he certainly appreciated their help.

Councilman Kling stated that he was proud to be part of the City, noting that he believed there were some great things that would be taking place in the future, and that he was looking forward to working with his fellow Council members. He continued that he believed there were some great neighborhood activities that would be taking place, noting that there would be road resurfacing and projects such as the Stone Middle School project. He stated that he was looking forward to continuing his monthly town meetings in order to learn ideas and follow up on things.

Councilman Kling stated that he believed they had heard a good idea from an earlier speaker concerning veterans, and that he hoped they could provide some assistance with this. He continued that he believed there were some new economic development projects down the line, and improved recreational facilities, noting that they would be talking about the John Hunt Master Plan, et cetera.

Councilman Kling stated that he was proud to be part of the team doing some of the things they were doing at this meeting, such as the refinancing Mayor Battle had mentioned. He stated that the City had a AAA bond rating and that because of this, they would be seeing a cost savings of approximately \$7 million that they would be able to put to good use for the benefit of the taxpayers.

Councilman Kling thanked everyone for their encouragement and support during the election process and stated that he was looking forward to the best four years ever for Huntsville City Government.

Councilman Showers stated that he was proud and delighted for the district he represented, District 1, noting that on the prior Monday they had had the open house at the North Precinct, and there had been a great turnout of citizens from the northern district who had attended the open house. He stated that this was the precinct of the citizens who resided in this district, and that it was laid out beautifully, with conference rooms, meeting rooms, etc., and that all persons had to do was

to call and register when they wanted to meet.

Councilman Showers asked if Chief Lewis Morris of the Police Department was present.

Chief Morris appeared at the microphone.

Councilman Showers congratulated Chief Morris, noting that it had been a long time coming but that citizens in the area were delighted that they were finally in the new facility. He thanked Chief Morris and all the persons who worked under him, the contractors, Team Huntsville, et cetera, that had contributed to making this possible. He continued that a person who was not present at this time, Rex Reynolds, had played a tremendous part in locating this particular precinct.

Councilman Showers thanked Chief Morris.

Chief Morris thanked the Council for its support.

Councilman Showers stated that he would like to thank Kenny Anderson, noting that he had spoken to the Lincoya Civic Association the past week. He stated that this association would be meeting again on September the 8th and that Mr. Anderson would be back to speak again on the points that they needed for him to address.

Councilman Showers stated that he had had a town meeting scheduled for September 2nd but that this meeting had been postponed, due to the fact that he would be out of town. He stated that he would announce another date for this meeting.

Councilman Showers stated that he wanted to thank Terry Hatfield and Joy McKee, noting that they did such a

tremendous job for the city of Huntsville. He noted the people that worked under them and stated that he was delighted that they had the kind of people they had in those departments. He stated to Mr. Hatfield that there had been a worker on one of the streets in his district picking up trash, and there were several sections of trash and some of it had been left in the street, that the automated system had picked up all it could, and this driver had then gotten out of the vehicle and picked up the debris by hand. He stated that he just wanted Mr. Hatfield to know that he had some fine men and women in his division. He stated that the same would also go for Ms. McKee.

Councilman Showers stated to Chief Morris that he had been receiving calls concerning North Crestview and Julia, stating that they were calling about a stop sign in that location. He stated that what was happening was that they were calling units out to the area concerning speeding, and that the units would come out and park at the stop sign. He continued that no one in their right mind would run a stop sign with a police unit being parked there. He continued that the problem in the neighborhood was speeders on that street. He stated that it did not appear that they could get any relief from this, that they were not being able to slow persons down. He stated that he did not know if they should put in traffic calming or put units in other places in the neighborhood. He stated that the units were coming out but were parking near the stop sign. He stated that once the units left, persons who cut through and

passed through would speed down the hill. He stated that the residents were concerned about the safety of children and persons who resided in the neighborhood. He reiterated that this was at North Crestview and Julia.

Chief Morris stated that they had some other options they could use in this situation, stating that, obviously, when the units were there, persons saw them, and nothing happened. He reiterated that they had some other options they could use.

Councilman Showers stated that the Council members had received emails during the week on "The Big Picture," economic development, the group meetings, the citizens' academies, focus group presentations, Image Huntsville.

Councilman Showers asked if Mr. Dennis Madsen, Manager of Urban and Long-Range Planning, was present at the meeting.

Mr. Madsen appeared at the microphone.

Councilman Showers stated to Mr. Madsen that the Council members had received this information via email of the proposed meetings that were being scheduled, one at Lee High School and the others that were being scheduled for later in the month. He continued that, also, there was one scheduled at Alabama A&M University.

Councilman Showers stated to Mr. Madsen that he believed a lot of the citizens did not know that this was out there. He asked what they could do to give more citizens an opportunity to know that the concerns they had could be addressed at these different focus meetings.

Mr. Madsen stated that they looked for a lot of different media to put this out. He stated that they used their email blasts, obviously, to get the initial issue going, and then usually as they got within a couple of weeks, they reached out to media outlets, would try to get on the radio, get on television, and try to get on al.com, as well, and get as much word out as they possibly could. He stated that they also began to add a little more detail. He stated that they had found that if they dumped a lot of the information out too early, by the time the event actually rolled around, persons had kind of forgotten about it. He stated that probably in the next couple of weeks persons would see a blitz on the two Citizen Academy sessions in September. He continued that that would be followed up with one in October, as well.

Mr. Madsen stated that they encouraged anyone who received their email to send it on, and that they also went out and talked to a lot of civic groups. He stated that they had been doing this all over the city and stated that if anyone wanted them to come out and talk to their group, they should let them know. He stated that they had been at the North Alabama African American Chamber of Commerce a couple of weeks prior, that they had been to Hudson-Alpha, that earlier in the day they had been at the Huntsville-Madison County Chamber of Commerce, and that they had recently been in the Chaffee neighborhood. He stated that they would go out and talk to anyone and give them a little more detail on what they were

doing, and that they also used these as listening sessions. He stated that they tried to attend as many different meetings as they possibly could.

Councilman Showers asked if they let the public know that whether or not the meetings were being held in their area or district, they would be invited.

Mr. Madsen stated that they certainly did, that they tried to make it pretty clear when they disseminated the information that these were public meetings. He stated that there were a few that were targeted for specific organizations, but when they had public meetings, they tried to blanket as much as they could and get the word out in every way they could. He stated that they worked a lot with Kelly Schrimsher in Communications, in order to hit as many people as possible. He stated that the meetings worked best when they got as many people out to them as they could.

Councilman Showers stated that when he had gone in earlier in the day in the Instagram photo section of their email, that each time when he input a photo, it was blocked and it had said it was not functioning at that particular time.

Mr. Madsen stated that they would take a look at that, noting that it might be a technical glitch on their part and they would see if they could fix it.

Councilman Showers stated that the funeral for Laverta Batts Brooks had been earlier in the day and that he just wanted to ask persons to remember this family in their prayers.

Councilman Olshefski stated that he had recently attended the longest Planning Commission meeting he had ever been to, and stated that Jim McGuffey was handling himself wonderfully, that he did a great job, along with his staff.

Councilman Olshefski stated to Mr. Lyle Voyles that he appreciated his comments to the Council. He also recognized Chip Cherry in the audience, stating that he appreciated the Chamber of Commerce and everything they did.

Councilman Olshefski stated that he had recently been out of town with Rex Reynolds and that a matter had come up with the City and that Mr. Reynolds' son, who worked for the City, had handled it for him. He stated that he appreciated this young man taking care of this on a Saturday, when he wasn't even on duty.

Councilman Showers stated that he had failed to acknowledge President Russell, who had been re-elected without opposition. He also congratulated Councilman Kling, stating that he looked forward to working with him for another term.

Councilman Showers encouraged the persons who would be in runoffs from the election to hang in there and give it all they had, and that the people would speak. He stated that he wanted to wish both candidates for the City Council well.

President Russell stated that there would be a meeting to canvass the votes in the City Council Chambers and that there would need to be at least three Council members present. He asked the Council members to put this on their schedule and

advise him as to their availability.

President Russell stated that the Huntsville High-Mountain Brook game was kicking off about this time and that they felt it would be a good game. He encouraged persons who were watching the Council meeting to go to Milton Frank and buy a ticket and support Huntsville High, or at least watch the game on TV.

President Russell stated that Mayor Battle had mentioned that he missed the bike race and stated that he had had to officiate some football games that day, but he had sent his daughter.

President Russell stated that the next item on the agenda was New Business Items for Introduction.

President Russell read and introduced Ordinance No. 14-624, annexing land lying on the west side of Mooresville Road and on the north side of Huntsville Browns Ferry Road.

President Russell stated that the Council had been asked to vote on the next item on the agenda at this time.

President Russell read and introduced an ordinance authorizing the issuance of General Obligation Refunding Warrants, Series 2014-A, in the amount of \$54,110,000; General Obligation Lease Refunding and Capital Improvement Warrants, Series 2014-B, in the amount of \$19,345,000; and General Obligation School Refunding and Capital Improvement Warrants, Series 2014-C, in the amount of \$27,045,000, as follows:

(ORDINANCE NO. 14-625)

President Russell moved that unanimous consent be given for the immediate consideration of and action on said ordinance, which motion was duly seconded by Councilman Kling, and upon said motion being put to vote, the following vote resulted:

AYES: Culver, Olshefski, Kling, Showers, Russell

NAYS: None

President Russell stated that the motion for unanimous consent for immediate consideration of and action on said ordinance had been unanimously carried.

Councilman Kling thereupon moved that said ordinance be finally adopted, which motion was duly seconded by Councilman Showers.

President Russell asked Mr. Randy Taylor, Director of Finance, for an explanation of the above ordinance.

Mr. Taylor stated that this was the item Mayor Battle had referred to earlier in the meeting and that the Council had approved an action on at the prior meeting. He stated that this was the refinancing warrants they were issuing. He stated that the total amount was \$100,500,000. He continued that they were using all these proceeds to refinance older debt that had been issued at higher interest rates than the new debt was being issued. He stated that this would result in a savings of approximately \$7 million, to the City and the City School System. He continued that the City was required to allocate the School System's portion to them. He stated that this would

reduce the debt service for the City over the next several years, 10 to 15 years, when they would realize the \$7 million in savings.

Mr. Taylor stated that the Council had approved the agreement with the underwriters at its prior meeting, which he noted happened to be the day that they had actually priced the warrants in the marketplace. He stated that what was before the Council at this time was the actual issuance of the warrants, and obligating the City for this amount of money.

Councilman Kling asked Mr. Taylor if it was correct that this action was something that the bond rating agencies would look favorably upon.

Mr. Taylor replied in the affirmative, noting that, of course, they had to be rated in order to do this, and that they had been rated AAA by both agencies. He continued that the rating companies were aware of the City's prior experience and, also, what they intended to do for the City with this.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

President Russell stated that the next item on the agenda was New Business Items for Consideration or action.

President Russell read and introduced a resolution authorizing the Mayor to execute an agreement with the Alabama Emergency Management Agency for EMPG Grant FY2014, as follows:

(RESOLUTION NO. 14-626)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute an agreement with the Alabama Emergency Management Agency for supplemental EMPG funding for FY2013, as follows:

(RESOLUTION NO. 14-627)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell moved for approval of a request for authorization to advertise and fill vacant position of Public Services Worker in the Parking Division, which motion was duly seconded by Councilman Showers and was unanimously approved.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Cost Reimbursement Agreement with the Northeast Alabama Traffic Safety Office in the amount of \$12,000 for traffic enforcement duties, as follows:

(RESOLUTION NO. 14-628)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced an ordinance declaring certain Police Department vehicles to be deemed as surplus property and sold at auction, as follows:

(ORDINANCE NO. 14-629)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Professional Services Contract with Stanard & Associates, Inc., as follows:

(RESOLUTION NO. 14-630)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing a Special Employee Agreement with Robin D. Cox, as follows:

(RESOLUTION NO. 14-631)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the City Attorney to settle the claim of James Haley v. City of Huntsville and Tyler Dwayne Nabors, as follows:

(RESOLUTION NO. 14-632)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Clerk-Treasurer to invoke Regions Bank Letter of Credit No. 55106025 for Cedar Park at Bell Grove Phase 2 Subdivision, as follows:

(RESOLUTION NO. 14-633)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into agreements with the low bidders meeting specifications as outlined in the attached Summary of Bids for Acceptance, as follows:

(RESOLUTION NO. 14-634)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the acceptance of donations, as follows:

(RESOLUTION NO. 14-635)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced an ordinance to amend Budget Ordinance No. 13-630 by changing authorized personnel strength in various departments and funds, as follows:

(ORDINANCE NO. 14-636)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced an ordinance to amend Budget Ordinance No. 13-630 by changing appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 14-637)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced an ordinance authorizing the disposal of the surplus equipment identified as the Imagistics copier, Model ZC55 and S/N 4080159, located at 101 Church Street, Suite 201, per Agreement with Mars, LLC, as follows:

(ORDINANCE NO. 14-638)

President Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Lease Agreement with Roger Martin Farms for the Lease of Farm Land in the southwest corner of Capshaw Road and Wall-Triana Highway, as follows:

(RESOLUTION NO. 14-639)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Lease Agreement with Roger Martin Farms for the Lease of Farm Land in Cummings Research Park, as follows:

(RESOLUTION NO. 14-640)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into a Renewal Land Lease Agreement with Vandiver Farms for the Lease of Farm Land located on the east side of Old Railroad Bed Road at Magnolia Springs Subdivision, as follows:

(RESOLUTION NO. 14-641)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the City Council to amend the contract with SAK Construction, L.L.C., for Sanitary Sewer Rehabilitation Cured-in-Place Pipe (CIPP) Installation-2013 (Base Bid Only), Project No. 65-13-SP32, by Change Order No. 1, as follows:

(RESOLUTION NO. 14-642)

President Russell moved for approval of the foregoing

resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to enter into an agreement with Garver, L.L.C., for Engineering Construction Administration Services for 2014 Water Pollution Control Sanitary Sewer Rehabilitation, Project No. 65-14-SP50, as follows:

(RESOLUTION NO. 14-643)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing an award to the Boys & Girls Club of North Alabama with CDBG Public Service Funds in order to serve between 600 and 800 youth, as follows:

(RESOLUTION NO. 14-644)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution to award The Village of Promise with CDBG Public Services Funds in order to serve elementary to college age students, as follows:

(RESOLUTION NO. 14-645)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution to award Harris Home for Children, Inc., with CDBG Public Services Funds for labor, supplies, and materials to renovate living spaces for their Basic/Crisis Program, as follows:

(RESOLUTION NO. 14-646)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution to award Harris Home for Children, Inc., with UDAG Funds for labor, supplies, and materials to renovate living spaces for their Basic/Crisis Program, as follows:

(RESOLUTION NO. 14-647)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution to award the National Children's Advocacy Center, Inc., with UDAG Funds for child abuse intervention services, as follows:

(RESOLUTION NO. 14-648)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution to award New Futures, Inc. with UDAG Funds for tutoring and mentoring activities for homeless children between the ages of

13 and 17, as follows:

(RESOLUTION NO. 14-649)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement with Community Action Partnership of Huntsville/Madison & Limestone Counties, Inc., for services to the homeless population, as follows:

(RESOLUTION NO. 14-650)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers and was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the agreement with the Boys & Girls Club of North Alabama, as follows:

(RESOLUTION NO. 14-651)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers

President Russell asked Mr. Kenneth Benion, Manager of Community Development, for an explanation of the above resolution.

Mr. Benion stated that this was a modification. He stated

that they had appropriated funds in the prior year for the Boys & Girls Club, in the amount of \$175,000, and that \$57,000 was left to be spent on this contract. He stated that the time frame they had in which to spend the CDBG funds had been about to expire, so they had modified it to pull the money out of UDAG so they would still be able to spend these same funds.

President Russell asked if there were any questions or further discussion concerning this item.

There was no response.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

President Russell read and introduced a resolution authorizing the Mayor to execute a Lease Agreement between the City of Huntsville and Gallatin Partners, LLC, for Fountain Row Air Space and Rights, as follows:

(RESOLUTION NO. 14-652)

President Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Russell stated that this was an agreement for a company to lease the air rights in order to construct a bridge from one building to another over Fountain Row, on the other side of Williams. He stated that the law firm of Maynard Cooper would be the ones using the building. He continued that the air rights had been appraised and a lease agreement had been worked out. He stated that he believed this matter had

gone through the Board of Zoning and the Planning Commission in the prior two months. He stated that none of his constituents had complained about this, that everyone appeared to be in favor of it.

Councilman Showers inquired as to the dollar amount.

President Russell stated that he believed it appraised at approximately \$2400. He continued that the lease agreement was for \$200 per year.

Councilman Kling asked if President Russell could describe physically again where the walkway would be.

President Russell stated that the current Maynard Cooper building was on Gallatin, and that behind that was Fountain Row Circle, and that they would construct a building on Fountain Row and connect their existing building to the new building.

President Russell asked if there was any further discussion of this matter.

There was no response.

President Russell called for the vote on the above resolution, and it was unanimously adopted.

Councilman Showers read and introduced an ordinance declaring a .257-acre tract of property located along Meridian Street as surplus and no longer needed for a municipal or public purpose, as follows:

(ORDINANCE NO. 14-653)

Councilman Showers moved for approval of the foregoing

ordinance, which motion was duly seconded by Councilman Olshefski.

President Russell asked Mr. Joffrion for an explanation of the above ordinance.

Mr. Joffrion stated that the ordinance before the Council and the next item on the agenda, 15.dd, Resolution NO. 14-654, were related. He stated that this involved an approximate quarter-acre tract of land that had originally been acquired from the Housing Authority in the early 1980s. He stated that this was an uneconomic remnant for the City of Huntsville, that the City had no need for the property. He continued that the adjacent property owner had asked to purchase this property. He stated that it had been appraised for \$240,000. He stated that this item on the agenda was the ordinance to declare the property surplus, and that the next item, item 15.dd, Resolution No. 14-654, was the purchase and sale agreement authorizing its sale to the adjoining property owner.

President Russell asked Mr. Joffrion why the property was no longer needed if it was worth \$240,000.

Mr. Joffrion reiterated that the property had been conveyed to the City back in the early '80s by the Housing Authority. He continued that this was originally part of a much larger tract of land, but it now sat in isolation. He stated that the property was located on Meridian Street. He continued that Meridian Street had been widened since that time. He stated that there were no City facilities adjacent to

the property and there were no structures located on the property. He stated that it was only a quarter-acre tract of land and most likely had no use to anyone other than the adjacent property owner.

Mr. Joffrion stated that Mr. Shane Davis, Director of Urban Development, could answer any further questions related to this matter.

Mr. Davis stated that when the City had acquired this tract, it had been part of a much larger tract. He stated that the City had made improvements in the area, and that once they had completed all the improvements, it had left an approximate quarter-acre remnant that was no longer needed, and that an adjacent property owner wanted to purchase this property. He continued that the property was not large enough by itself to develop on. He stated that they had had the property appraised and would be selling it at appraised value so that it could go back on the tax rolls.

President Russell asked why they were declaring it surplus if it would be sold for appraised value.

Mr. Davis stated that they were declaring it surplus because it did not have a public need at this time. He stated that they had completed all the improvements for which they had originally purchased the larger tract of which this tract was a part. He reiterated that this was the remnant that was left after all the City improvements had been done.

Mr. Joffrion stated that under State law, it was a

requirement if the City was going to sell property that they first declare it as surplus to the City's needs before they could then authorize a sale agreement.

President Russell inquired as to why they would not use this property as a pocket park or something such as that.

Mr. Davis stated that there was already a pocket park located west of this property. He stated that most park property was deeper and that this property was located right up along Meridian Street and that would just not be a good use for the property.

Councilman Kling asked if there would be any benefit in doing a bid process, RFP's, rather than just selling the property to this particular person at the appraised value.

Mr. Davis stated that the City had not actually been trying to sell this property, that they had been approached concerning the sale. He stated that the only person that would really benefit by the purchase of this property was the adjoining property owner. He stated that because of the shape and size of the property, if it were put out to bid, the highest bidder could buy it but not develop on it because it was not large enough for development. He reiterated that it was a small remnant tract. He stated that the only way the City could sell surplus property was to have it appraised, and that they had done that, and what would be before the Council would be to sell it at that exact appraised amount.

President Russell asked if there was any further

discussion concerning this item.

There was no response.

President Russell called for the vote on the above ordinance, and it was unanimously adopted.

Councilman Showers read and introduced Resolution No. 14-654, authorizing the Mayor to execute a Purchase Agreement between the City of Huntsville and Nitneil Partners, LLC, for the purchase of property along Meridian Street.

Said motion was duly seconded by Councilman Kling.

President Russell asked Mr. Joffrion if he was aware of the intended use for this property.

Mr. Joffrion stated that there was an existing commercial usage next to the property and that he believed this was just an expansion of that use.

President Russell asked Mr. Davis if the usage would be for parking, an additional building, green space, et cetera.

Mr. Davis stated that there was an existing office building on the adjacent property and that he believed the initial use would be for additional parking. He stated that this remnant tract, along with the vacant tract that was adjacent to it, would allow for future commercial building.

President Russell asked Mr. Davis if there was any urgency for this matter to be considered at this time.

Mr. Davis replied in the negative, stating that there was no urgency on the part of the City.

President Russell stated to the other Council members that

he did not feel good about this item, that he would like for there to be some further discussion concerning it.

President Russell moved to postpone consideration of Resolution No. 14-654 until the next regular meeting of the Council, on September 11, 2014.

Said motion was duly seconded by Councilman Showers.

President Russell called for the vote on the above motion, and it was unanimously approved.

President Russell stated that the next item on the agenda was Non-Roster Communications from the Public.

Mr. Walt Hennessee, 10002 Hogan Drive, appeared before the Council, stating that he would first like to send kudos to Councilman Olshefski. He stated that he had gotten a complaint concerning some debris underneath a homeowner's tree. He stated that the homeowner had told him he had been trying to get it removed, that there was a tree and other things. He stated that he had contacted Councilman Olshefski concerning this, and that a week later it had been taken care of. He stated to Councilman Olshefski that he was a hero on one street.

Mr. Hennessee stated that they were having a fundraiser at the D&L Bistro on September 18, from 5 p.m. to 8:30 p.m. He invited the Council members and the Mayor to this event, noting that they would be around some nice animal lovers and persons who really enjoyed good dining.

Mr. Hennessee stated that in November there would be a

fundraiser, called Plea Market, which would benefit the Spay and Neuter Clinic.

Ms. Jackie Reed again appeared before the Council, thanking President Russell for holding the issue concerning the sale of the City property, stating that she felt that it was good that they were holding it, that they were concerned.

Ms. Reed stated that she just had a few more words to say, and then she would promise that the election would be over.

Ms. Reed thanked the few citizens who had voted in the election, noting that out of 15,000, there were about 1800 who had voted. She stated that it appeared that some persons in the city just did not care what the Council did. She stated that they should just go ahead, that she would not get in their way about everything.

Ms. Reed stated that she really had to go back and talk about the Jackie Reed Plan, and then she would let it go, that she would let it die forever. She stated that the only change she had proposed was to move her neighborhood back into District 4. She stated that after five meetings, on a sixth meeting, this was all changed. She stated that there were only 335 people in the census block that were moved. She stated that her plan had met the Department of Justice guidelines, that all the deviations were below 2 percent. She stated that she had called the Justice Department concerning this whole thing, and that they had told her to turn it in to the Ethics Commission. She stated that she had not done this.

Ms. Reed stated that she would never say another word about the redistricting. She continued that she was sorry and sad that the public, in Sherwood Park and many other places she had visited, had not known that their district lines had been changed. She stated that, however, she would blame the general public on this, stating that they needed to keep up with such matters. She stated that she did not believe it was advertised enough in the newspapers or anywhere about the city election. She stated that persons kept telling her that in November they were going to vote. She stated that people just really did not know when elections were and who was running. She stated that she had to blame the people for this, that they did not keep up and really did not care.

President Russell asked if there was anyone else in the audience who wished to address the Council.

There was no response.

Upon motion, duly seconded, it was voted to adjourn.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER